

**REMARKS**

Applicants acknowledge that the Office Action dated October 16, 2007 has been made final. Accordingly, a Request for Continued Examination has been submitted herewith, and further consideration of this application in view of the amendments set forth above, as well as the comments provided hereinafter, is respectfully requested.

As required at page 2 of the Office Action, Claims 19-30, which are drawn to a non-elected invention, have been cancelled, without prejudice, however, to Applicants' right to submit such claims in a divisional application, in their discretion.

Claims 1, 12, 14, 16 and 17 have been rejected under 35 U.S.C. §112, first paragraph as failing to comply with the written description requirement. Applicants respond to this ground of rejection as follows:

The Office Action states that there is insufficient written description to inform a skilled artisan that applicant had possession of the claimed invention at the time the application was filed, and in particular that there is not a sufficient written description which conveys to such a person an understanding that the invention as disclosed includes a "metallic strip". The Office Action acknowledges in this regard that the disclosure contains a written description

which refers to a “metal strip”, citing as examples page 2, paragraph [0006] and page 4, paragraph [0013].

The dictionary defines the word “metallic”, however, as “of, relating to or being a “metal”, or “made of or containing a metal”. It follows, therefore, that a “metal strip” is in fact “metallic”. Accordingly, Applicants respectfully submit that the specification of the present application contains a sufficient written description of a solar cell connector comprising “a metallic strip”. That is, a strip which is made of metal is clearly “metallic”, which is all that is required in order to support the claim in question.

“Tabs”

The Office Action at page 5 indicates that the specification does not mention “tabs”, and states therefore that there is insufficient written description of this feature. In response to this ground of rejection, Applicants note that MPEP §2163.02, which deals with the standards for determining compliance with the written description requirement. states that, “An applicant shows possession of the claimed invention by describing the claimed invention with all of its limitations using such description means as words, structures, figures, diagrams, and formulas that fully set forth the claimed invention.” In addition,

this section also states that possession “may be shown in a variety of ways, such as by the disclosure of drawings....”

In this regard, Applicants respectfully submit that Figures 1, 3, 4 and 5 of the drawing show that the connection area 1 includes what clearly amounts to “tabs”. That is, it shows the connection strips 4 projecting from the compensation area 2. The Office Action notes in this regard that the specification does not mention the word “tabs”. While this observation is correct, the MPEP makes it clear that the words used in the claim need not be identical to those contained in the specification: “The subject matter of the claim need not be described literally (*i.e.*, using the same terms or *in havec verba*) in order for the disclosure to satisfy the description requirement.” The dictionary defines the word “tab” as, among other things, “a small flap...by which something may be grasped or pulled”. Applicants respectfully submit that the elements 4 illustrated in Figures 1, 3, 4 and 5 of the drawings clearly constitute “tabs” as that word is universally understood. Accordingly, reconsideration and withdrawal of this ground of rejection is respectfully requested.

“Band-shaped round, oval, angular and polygonal”.

In response to this ground of rejection, Applicants have amended the penultimate paragraph of Claim 1 to delete the reference to “band-shaped”.

While the specification amply supports the proposition that the solar cell connector has a “band-shaped construction” (e.g., paragraph [0008], lines 3-4), the recitation in the penultimate paragraph of Claim 1 that the marginal area is round, oval or polygonal is considered to subsume the band shape. Accordingly, the recitation of “band-shaped” appears unnecessary. Similarly, the word “angular” has also been deleted, since it is subsumed by the word “polygonal”.

“The connector comprises one of molybdenum and another element of the sixth subgroup of the periodic table of elements”.

In response to this ground of rejection, Applicants have amended Claim 16 to place it in the Markush format specifically recited in MPEP §2173.05(h), being “selected from the group consisting of A, B, and C”. Accordingly, reconsideration and withdrawal of these grounds of rejection are respectfully requested.

Claims 1, 12, 14, 16 and 17 have been rejected under 35 U.S.C. §112, second paragraph for failing to particularly point out and distinctly claim the invention, based on certain formal issues identified on pages 7-9 of the Office Action. In response to these grounds of rejection, Applicants have amended the claims in a manner which addresses and is believed to resolve each of the cited formal issues. With regard to Claim 12, line 2, however, and Claim 17, Applicants respectfully submit that the fact that the limitations recited in the

latter claims apply to the overall solar cell connector itself is in no way disqualifying, and does not render them ambiguous. That is, Claim 12, for example, recites that the solar cell connector comprises certain materials, while Claim 17 recites that the solar cell connector was produced by stamping, etching or eroding. Applicants respectfully submit that neither of these limitations is vague or indefinite by virtue of having been included in a dependent claim rather than an independent claim. Thus, for example, if Claim 1 itself recited that the solar cell connector is made of a particular material, presumably no one would question the proposition that it is clear and definite. Applicants respectfully submit that it is no less so because this limitation appears in a dependent claim.

Claims 1 and 17 have been rejected under 35 U.S.C. §102(b) as anticipated by, or in the alternative, under 35 U.S.C. §103(a) as obvious over, Webb (U.S. Patent No. 3,422,213). In addition, Claims 12, 14 and 16 have been rejected as unpatentable over Webb in view of Pollard (U.S. Patent No. 6,034,322). However, for the reasons set forth hereinafter, Applicants respectfully submit that all claims which remain of record in this application, including new Claims 31 and 32, distinguish over the cited references, whether considered separately or in combination.

In particular, Applicants respectfully submit that Webb neither teaches nor suggest a solar cell connector of the type defined in Claim 1, in which the

marginal area that delimits the central opening of the compensation section which is "one of round, oval, and polygonal". Rather, the open area in the central portion of the "stress relieved area" has a shape which could best be described as having curve sides and pointed ends. (See, for example, Figure 2.) This structure appears to result from the manner in which the connector strip in Webb is divided into a plurality of "strand-like portions", by chemically milling the connector strips and apparently separating the strands as shown. Accordingly, the central opening is clearly not round, oval or polygonal, as recited in Claim 1. Moreover, in view of the disclosed method of fabrication, it would be difficult or impossible to modify the structure of the connector strips in Webb in order to utilize a round, oval or polygonal central opening.

Similarly, new Claim 31 recites that the marginal area of the metallic strip is formed as a single monolithic portion of the metallic strip of Claim 1, while Claim 32 recites that the tabs project substantially normal to the marginal area of the metallic strip (as shown in the drawings). As noted previously, the "stress relieved areas" in Webb are not monolithic, being comprised of a plurality of strands "which are of a dimension much less than that of the flat strip", such that they are more flexible than the strip itself. (See Column 2, lines 26-42.) Accordingly, the stress relieved areas in Webb rely on the multiple strand

feature to achieve flexibility, and would not function in the same manner without being subdivided as indicated.

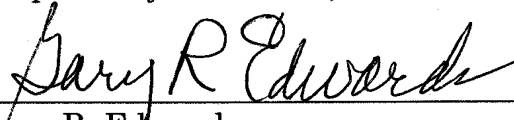
Unlike the connector strips in Webb, the present invention achieves its flexibility simply by providing the central opening 6 in the compensation section in the form of a circle, an oval, or a polygon, with the tabs 4 projecting at right angles thereto, such that the central opening or recess 6 has a closed bordering, which is capable of flexing. As a result of this structure, "mainly the probability of the occurrence of local tension peaks or of locally different deformation characteristics is very low". (Paragraph [0024], lines 5-7.)

The Pollard reference, on the other hand, has been cited only in respect of Claims 12, 14 and 16, as disclosing a connector which comprises a precious metal or conductive material with a precious metal coating that is selected from the group consisting of gold and silver, and that the conductive material comprises one of molybdenum and another element of the sixth subgroup of the periodic table of elements. Accordingly, for the reasons set forth in response to the previous Office Action (for which the Remarks are hereby incorporated by reference), Pollard does not teach or suggest a modification of Claims 1, 31 or 32 which would replicate the features recited therein, as discussed above.

In light of the foregoing remarks, this application should be in consideration for allowance, and early passage of this case to issue is respectfully requested. If there are any questions regarding this amendment or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

If necessary to effect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to effect a timely response, and please charge any deficiency in fees or credit any overpayments to Deposit Account No. 05-1323 (Docket #010408.52444US).

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Gary R. Edwards", is written over a horizontal line.

Gary R. Edwards  
Registration No. 31,824

CROWELL & MORING LLP  
Intellectual Property Group  
P.O. Box 14300  
Washington, DC 20044-4300  
Telephone No.: (202) 624-2500  
Facsimile No.: (202) 628-8844  
GRE:kms  
4865284\_1